

West Wiltshire District Council
Planning Committee 4th August 2005

PLANNING APPEALS UPDATE REPORT
1st July – 21st July 2005

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom.	Appeal type
05/00349/FUL	Rear of and 36 Silver Street Lane	Trowbridge	22 Residential properties	Com	Permit	INQ
05/00663/FUL	11 Inmead	Edington	Amendments to 99/00090	Del	Refuse	HRG
05/00681/REM	147B Westbury Leigh	Westbury	5 Residential units	Com	Permit	HRG
05/00608/OUT	Rear of 20 High Street	Bulkington	25 dwellings/sports pavillion	Del	Refuse	WR
05/00790/LBC	Frankleigh House, Bath Road	BOA	Reduce 2 bed flat to studio flat	Del	Refuse	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or comm	Officer recom.	Appeal type	Appeal Decisn
04/02423/OUT	Rear of 37 Southbrook Road	Melksham	4 dwellings/one garage	Del	Refuse	WR	Dismissed
04/01606/FUL	55 Roundpond	Melksham	2 Storey extension	Del	Refuse	WR	Allowed
04/01664/FUL	Long Hedge Farm, Chitterne Rd	Codford	Retention of building used as lambing shed/hay barn/machinery store	Del	Refuse	WR	Dismissed
04/01705/FUL	Egerton House Farm	B.Gifford	Regeneration of village smallholding and residential ground	Del	Refuse	WR	Dismissed
04/01706/CON	Egerton House Farm	B.Gifford	Demolition of 2 barns,store and accommodation block	Del	Refuse	WR	Dismissed
01/00882/OUT	Land off Bradford Road	Trowbridge	Business park (B1 and B8) and associated works	Com	Sec of State	INQ	Dismissed

* additional notes on decision below

- I = Inquiry H = Hearing WR = Written Representations
- Del = Delegated decision Comm = Committee decision

❖ **Points of interest arising from decisions**

04/01606/FUL 55 Roundponds, Melksham – The Inspector noted that the ridge would be longer than those alongside the site but shorter than the terraces opposite and the width of the house would not be out of keeping with the surrounding area. There was therefore no requirement for the extension to be subservient to the host building.

04/01664/FUL. Long Hedge Farm, Codford – This was for the retention of an agricultural building which has been dismissed by the Inspector who felt that the scale and bulk of the building was unduly prominent in the landscape and detracted from the natural beauty of the area. The decision has now been referred to the Enforcement team to follow up.

01/00882/OUT Land at Bradford Road, Trowbridge - A copy of the Secretary of States decision letter has been appended to this report for Members information. In summary the Inspector found viaduct for road would be a substantial structure, a prominent and dominant feature in the landscape, therefore inappropriate development in the Green Belt. Although the proposal is in accordance with the adopted local plan it must also comply with other policies in the plan and for reasons of flooding it does not accord with the policy. The benefits of the proposal do not represent very special circumstances needed to outweigh the harm caused to the Green Belt. The viaduct has not been fully designed, leaving doubts as to the precise impact it would have on the floodplain and the design of roundabout, raised to 130mm within the 1 in 100 flood plain, could cause serious traffic congestion which would lead to difficulties for emergency vehicles. He felt that it has not been demonstrated that the development can be constructed without adverse impact on third party flood risks or flood flows of storage capacity, but he acknowledged that it may be possible the design a scheme which would not affect flood risks. On the issue of traffic generation he concluded that the site is in a sustainable location near town centre and any additional traffic generated by the development could be off set by travel plans and the potential to displace commuting journeys out of town.

An application for an award of costs against the Council was refused as the Inspector concluded that the LPA did not act unreasonably.

Note

If Members of the Council wish to read any of the Planning Inspectors decision letters, please contact the Planning Office for a copy.

Forthcoming hearing or Inquiries April – July 2005

Ref. no.	Site	Town/ Parish	Description	Appeal type	Venue	Date
04/00322/FUL	Land South of the Paddocks	BOA	Erection of dwelling (as previously permitted 98/1281)	HRG	CR1	16/8/05
04/00385/FUL	Land East Furnax Lane	Warminster	Section 73 application for warehouse, storage, access road etc, without complying with condition 3 of 01/02033/FUL	HRG	CR1	17/8/05
04/01324/OUT	East of the Old Vicarage, The Hollow	Dilton Marsh	4 detached houses within garden of grade II listed building	HRG	CR1	25/8/05